

TOWN OF LOS GATOS



**PLANNING COMMISSION MEETING
ACTION MINUTES
TOWN COUNCIL CHAMBERS
110 E. MAIN STREET
WEDNESDAY, JULY 12, 2006 -- 7:00 P.M.**

Please refer to compact disk #07-12-06 to hear the entire proceedings of this meeting.

ROLL CALL:

Present: Phil Micciche, Chair; Joanne Talesfore, Vice Chair; John Bourgeois, D. Michael Kane, Thomas O'Donnell and Lee Quintana.

Absent: Stephen M. Rice

Others: Assistant Community Development Director Randy Tsuda, Associate Planner Sandy Baily, Associate Civil Engineer Fletcher Parsons and Town Attorney Orry Korb

VERBAL COMMUNICATION

Ray Davis Commented on the conduct of Commission Chair and expressed concern about comments to other Commissioners. Cited information from the Commissioner's Handbook.

APPROVAL OF MINUTES

June 14, 2006 - Motion by Commissioner Kane and seconded by Commissioner O'Donnell to approve the meeting minutes.

June 28, 2006 - Motion by Commissioner Kane and seconded by Commissioner Talesfore to approve meeting minutes. Both passed unanimously 6-0 with Commissioner Rice absent.

Chair Micciche commented he is leaving the meeting at 8:25 p.m.; Commissioner Bourgeois is recusing himself from the Study Session due to conflict of interest; and Commissioner O'Donnell stated he listened to the FTR on 17005 and 17017 Roberts Road and is prepared for the hearing tonight.

CONSENT CALENDAR

ITEM 1 **408 N. Santa Cruz Ave**
Conditional Use Permit U-94-44

Adopt resolution determining that the operation of the Last Call bar is detrimental to the public health and safety and constitutes a public nuisance and amending the conditions of approval pursuant to Los Gatos Town Code Section 29.30.313. APN 529-07-046

PROPERTY OWNER: Los Gatos Shopping Center, LLC

PUBLIC TESTIMONY: None

MOTION: Called the motion to accept the resolution and the list of conditions as noted in report dated July 6, 2006.

Motion carried 5 - 1 with Commissioner Talesfore dissenting and Commissioner Rice excused.

Appeal rights recited by Mr. Korb.

CONTINUED PUBLIC HEARING

ITEM 2 **17005 and 17017 Roberts Road**
Planned Development Application PD-05-01
Architecture and Site Application S-05-015
Negative Declaration ND-05-03

Requesting approval of a zone change from RM:5-12 to RM:5-12:PD for a seven lot residential subdivision and approval to demolish a single family residence and a 3-unit apartment building built prior to 1941. No significant environmental impacts have been identified as a result of this project and a Mitigated Negative Declaration is recommended. APN 529-16-021 and 045.

PROPERTY OWNER: Khurram Iqbal

APPLICANT: Donna and Louie Leu

(Continued from April 26 and May 10, 2006)

PUBLIC TESTIMONY by Sally Webb, Veronica Shepardson, Ling Shan, Stephanie Schweighofer, Cindy Cockcroft and Ray Davis.

MOTION: Motion by Commissioner Talesfore and seconded by Commissioner Kane to continue to a date uncertain.

Motion carried 5 - 1 with Commissioner Quintana dissenting and Commissioner Rice excused.

Chair Micciche leaves the hearing.

NEW PUBLIC HEARINGS

ITEM 3 Best Practices Report from 5/24/06 TC/PC Retreat

PUBLIC TESTIMONY - None

MOTION: Motion by Commissioner O'Donnell and seconded by Commissioner Bourgeois to accept the report and forward to Council for final recommendation. Mr. Tsuda stated that Commissioners would have 10 days to provide additional comments which would be forwarded to the Town Council in the final report.

Motion carried 5 - 0 with Commissioners Micciche and Rice excused.

CONTINUED OTHER BUSINESS - NONE

NEW OTHER BUSINESS

Sub-Committee Reports

Historic Preservation Committee - Commissioner Kane commented on the meeting of July 5, 2006 where 16461 So. Kennedy Rd, 21 Mariposa and 30 Tait Ave were discussed.

Report from Director of Community Development - None

Commission Matters

Commissioner Kane requested to agendaize discussion of placement of sub-committee reports on future agendas. Motion by Commissioner Kane and seconded by Commissioner Talesfore. Passed unanimously with Commissioners Micciche and Rice excused.

Vice Chair Talesfore adjourned the meeting to the Study Session. Commissioner Bourgeois recused due to conflict of interest on the following item under discussion at the Study Session. Commissioner Micciche (8:25 p.m.) and Rice excused.

STUDY SESSION

ITEM 7 **15881 Linda Avenue and 15950 Stephanie Lane**
Planned Development Application PD-05-02
Architecture and Site Application S-06-050

Study Session to discuss preliminary plans to change the zone from R-1:8 to R-1:8:PD for a nine lot subdivision, for a lot line adjustment between two parcels zoned R-1:8 and approval to demolish a single family residence. **This is a Study Session only and no action will be taken at this time.** APNS 523-25-020 and 036

PROPERTY OWNERS: Jennifer Den Daas and Dan Blue
APPLICANT: Linda Court Partners

PUBLIC TESTIMONY by Terry McElroy, Rex Reed, Ray Davis, Lauren Swanson, Timur Engin, Lawrence Johmann, Leanne McWatters, Pauline Sprock, Robert Colhour, Lori Greenberg Orion, David Crites and Andrew Watson Orion.

MOTION: None

No action was taken at this time. Commissioners Kane, Quintana, O'Donnell and Talesfore in attendance for this portion of the meeting.

ADJOURNMENT

Vice Chair Talesfore adjourned the meeting at approximately 10:45 P.M.

TOWN OF LOS GATOS PLANNING COMMISSION
July 12, 2006

Joanne Talesfore, Vice Chair

APPROVED AS TO FORM AND ATTEST:

Randy Tsuda
Assistant Director of Community
Development

Bud N. Lortz
Director of Community Development
Development